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The Freedom-Based Critique of Well-Being's Exclusive Moral Claim

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Abstract: Amartya Sen has suggested that the moral significance of freedom undermines the view that well-being alone possesses fundamental moral worth. Sen's efforts to establish this claim, however, seem to fall short: he attempts to establish freedom's independent moral significance by pointing to the value of autonomy, but explains the value of autonomy in terms of its role as an element of well-being. Nonetheless, I take it that Sen is very much on the right track: well-being is not the only fundamental moral value, and an examination of freedom's moral significance really will bring this out. I thus offer my own version of the freedom-based critique of well-being's exclusive moral claim, focusing not on autonomy but what Sen has called "well-being freedom." The value of this variety of freedom derives, I will suggest, not from the value of well-being itself but the value of well-being potential. Well-being freedom matters not only because promoting it is a way of promoting human well-being, but also because respecting it is a way of respecting the dignity of human nature. The freedom-based critique of well-being's moral uniqueness succeeds even if Sen's particular version of it does not.
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In several works, Amartya Sen has argued against the claim that well-being alone possesses fundamental moral value. Sen's arguments against this position all have the same basic structure. Sen points to something he takes to have direct moral worth, and describes it in a way that makes its value clear. He then argues that this value is not reducible to that of well-being. Among the candidate values Sen suggests is freedom: we have a moral interest not just in the life a person actually leads, but also in the lives she has the opportunity to lead.

The considerations Sen cites to distinguish the moral significance of freedom from that of well-being are not, however, up to the task. Sen praises freedom because of the value it adds to the life of the individual who possesses it: it enables her to live autonomously, and to live autonomously is part of what it is to live well. In praising freedom in this way, Sen praises it as part of well-being: freedom is of moral note because it improves the life actually led by its possessor. That Sen appeals to the value of well-being in order to explain the value of freedom is obscured by the dialectic Sen uses to frame his discussion of these issues. Sen investigates the exclusivity of well-being's moral claim through a dispute with welfarism, a perspective that conceives of well-being more narrowly than Sen himself. Due to this dialectic, Sen consistently rests his case too early, moving on after establishing that freedom's value cannot be reduced to that of utility, rather than attempting to show that it also cannot be reduced to that of the overall quality of the lives individuals actually lead. Sen never seriously attempts to show that the value of freedom cannot be reduced to that of well-being *as he himself understands it*.

In what follows, I will make such an attempt, arguing that Sen was right to think that freedom's moral significance does not wholly reduce to that of well-being. My argument will rest on drawing a distinction between valuing the life someone leads and valuing the potential that allows her to lead that life. To value the former is to care about someone's well-being, while to value the latter is to respect the dignity of her nature. Respect for an individual's nature is, I will argue, incompatible with failing to

give that nature a real opportunity to unfold itself. As such, the moral significance of freedom – in the form of well-being freedom rather than autonomy – can be explained by appeal to a value other than well-being: namely, the dignity of human nature.

I. Sen's Argument

Sen's most developed arguments against the exclusivity of well-being's moral claim are presented in the Dewey Lectures and *On Ethics & Economics*. In the Dewey Lectures, however, it is not freedom's value which Sen suggests well-being cannot explain, but that of what he calls agency achievement. As such, my focus will primarily be on the argument presented in *On Ethics and Economics*.[1]

As is typical, Sen raises his challenge to well-being's exclusive moral status in the context of a critique of welfarism. Sen defines welfarism as follows: "'welfarism', requiring that the goodness of a state of affairs be a function only of the utility information regarding that state"(1987: 39). When Sen speaks of utility, he has in mind the traditional economic use of the term which identifies utility with one of three states: pleasure, desire-satisfaction, or choice-fulfillment (1987: 44 n.15). The welfarist holds that the value of a state of affairs depends entirely on how individuals stand with respect to one of these three states. As Sen puts it in a later work, "Welfarism in general and utilitarianism in particular see value, ultimately, only in individual utility, which is defined in terms of some mental characteristic, such as pleasure, happiness, or desire"(1992: 6). As Sen uses the term, then, welfarism hinges on two assumptions: 1) that "the only fundamental moral facts are facts about individual well-being"(1985: 185); and 2) that individual well-being is equivalent to individual utility. Sen's critique of welfarism, consequently, consists in a critique of each of these claims. Sen argues both that facts about

1 The agency-based argument falters on the same grounds as the freedom-based argument. Here too, Sen demonstrates that the moral significance of agency achievement cannot be reduced to that of utility, but not that it cannot be reduced to that of the overall worth of the lives individuals actually lead. On this, see Nussbaum 2011: 197-201.

well-being are not the only fundamental moral facts, and that well-being cannot be fully reduced to utility (1987: 40-41).[2]

In his argument against the reduction of well-being to utility, Sen makes it clear that he is interested in a much broader understanding of well-being. On the welfarist account, well-being is understood as a particular state one might be in at a given moment: an individual is said to have well-being at a given time insofar as she is feeling pleasure, having her desires satisfied, or receiving what she would choose to receive. On the welfarist account, then, to say that an individual has well-being tells us very little about what is going on in her life overall. An individual might be doing badly in many respects (perhaps she is deeply impoverished and subject to forms of oppression) while still experiencing any of these states. This strikes Sen as problematic: the concept of well-being seems to concern the overall quality of one's being, and this depends on the value of one's life *taken as a whole* (1992: 39). Insofar as well-being concerns the overall value of an individual's life, it must involve an assessment not just of some single aspect of that life, but of all the various beings and doings that make it the particular life that it is. Thus, Sen rejects the identification of well-being with utility as too narrow: it selects a single aspect of life (being in a particular state at a particular moment), and imbues that single aspect with a significance that can only belong to the whole. What emerges from Sen's critique of the identification of well-being with utility, then, is a new conception of well-being. On the view Sen defends, to speak of an individual's well-being is to speak of the overall value of the life she actually leads.

It is against the backdrop of this conception of well-being that Sen sets out to prove that well-being is not the only thing of fundamental moral value. In *On Ethics and Economics*, Sen proposes two additional fundamental values: agency achievement and freedom. As noted earlier, I will be focusing

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[2] In more recent work, Sen notes that welfare economics is no longer dominated by welfarism in the sense defined above: "Utilitarianism was for a very long time something like 'the official theory' of welfare economics, though (as John Roemer has illuminatingly analysed) there are many compelling theories now"(2009: 272). The utility-focused welfarism that was the object of Sen's critique in earlier works represents his understanding of this previous orthodoxy. It should not be taken to represent all the varieties of welfare economics available at present.

on the second of these two claims, on Sen's suggestion that the value of freedom stands apart from that of well-being. Unfortunately, however, Sen's defense of this view is quite compressed. Sen takes pains to distinguish freedom from well-being, indicating that while well-being concerns the life an individual actually leads, freedom concerns the lives she has the opportunity to lead (1987: 60). Once this distinction is established, Sen moves directly to the conclusion that freedom's value does not derive from that of well-being (1987: 60). The argument has something like the following form:

1) Well-being and freedom are conceptually distinct: to speak of the life an individual actually leads is not the same as speaking of the set of lives she has the option of leading.
2) Facts about freedom are fundamental moral facts: the lives available to individuals make a direct impact on our evaluation of states of affairs.
3) Thus, facts other than facts about well-being are fundamental moral facts.

In making this argument, however, Sen does not fully account for his concept of well-being's richness: although freedom and well-being are conceptually distinct, it is nonetheless the case that facts about freedom are also facts about well-being. That an individual is able to lead a life other than the one she actually leads is itself a fact about the life she actually leads. Bracketing concerns about determinism, it can be true that I have the option to do something regardless of whether I actually do it. There is, consequently, at least one respect in which a life where I did *x* when I could have done *y* differs from a life where I did *x* in the absence of alternatives: the first life contains an option that the second life lacked. Although an option is, in a sense, merely a counterfactual element of my life (it is something I *could* have done, not something I actually did), its presence may nonetheless have a significant impact on my life's character. It is, to use Sen's standard example, the difference between a life of periodic starvation and a life of periodic fasting (1999: 76). It is only true that I am fasting rather than starving if it is also true that I had the option to eat. Thus, the counterfactual elements of my life marked out by the presence of such an option can play a large role in determining what is or is not true

of it factually.

As such, the move from the second step of Sen's argument to his conclusion is too fast: facts about freedom might be fundamental moral facts simply because they are also facts about well-being. To take an analogous case, pleasure and well-being are conceptually distinct (as Sen has argued). However, facts about pleasure are still facts about well-being: to say that an individual is feeling pleasure is to say something about the kind of life she is leading, albeit less than has often been claimed. As such, someone might hold both that the only fundamental moral facts are facts about well-being and that facts about pleasure are fundamental moral facts: although pleasure and well-being are conceptually distinct, the moral significance of facts about pleasure might nonetheless derive exclusively from their identity with facts about well-being. This sort of valuational relationship will be possible in any case where a valuable whole is constituted by several parts, each of which is conceptually distinguishable from it. If any change in one of the parts also constitutes a change in the whole, then facts about the parts will have the same valuational significance as facts about the whole, but only in consequence of their identity with facts about the whole. For Sen to arrive at the conclusion he wants, it is not sufficient for him to claim that freedom is conceptually distinct from well-being and of fundamental moral value. He also needs to demonstrate that this fundamental moral value does not stem from freedom's role as one of the many constituent parts of well-being.

Sen does not attempt to demonstrate this in *On Ethics and Economics*, making no explicit claims about why freedom should be seen as having the fundamental value he attributes to it. Sen does, however, discuss the basis of freedom's value in several other works. The arguments that Sen puts forward in these works, however, suggest that Sen sees freedom's value as deriving precisely from its connection with well-being. When Sen praises freedom directly, speaking of its inherent value rather than its usefulness in the production of various social ends, he generally does so by pointing to its status as the precondition of autonomy. Autonomy in turn is praised as one element of a good life. Thus, Sen suggests that many parts of life are more valuable if freely chosen. To freely choose

something requires the presence of options to choose among: if I am only permitted one course of action, then no matter how wholeheartedly I endorse it, I have still lost the opportunity to do it because I chose to rather than because I had to. Thus, it turns out that an individual can lead the most valuable life possible only if she has the option to lead other, less valuable lives: in the absence of this option, the best life becomes impossible, because part of its value was the fact of its being chosen.[3] This account of freedom's value is compelling. However, it also suggests that freedom's direct moral worth is a consequence of the identity between facts about an individual's freedom and facts about her well-being: that an individual is free to choose her life is important simply because having such freedom is part of what it is for her to do well in life. This manner of praising freedom is insufficient to justify Sen's move from the claim that facts about freedom are fundamental moral facts to his conclusion that not all fundamental moral facts are facts about well-being.[4]

That this account of freedom's value is insufficient for Sen's purposes is a good reason to be suspicious about taking him to rely on it. Sen, after all, has done a great deal of valuable work on the concepts of both well-being and freedom. It would be surprising if he made such a mistake in his discussion of the relationship between the two. However, although Sen does not explicitly say that he is relying on this account of freedom's value in *On Ethics and Economics*, he does explicitly appeal to autonomy's role in human life when rejecting the exclusivity of well-being's moral status in *The Idea of Justice*. In the introduction to that work, Sen notes that, "The freedom to choose our lives can make a significant contribution to our well-being, but going beyond the perspective of well-being, the freedom itself may be seen as important. Being able to reason and choose is a significant aspect of human life"(2009: 18). There is no getting around attributing this mistake to Sen, then. That he makes this

3 Sen praises freedom in this way throughout his work. See, e.g. Sen 1992: 41-42 and Sen 2009: 18-19, 227-230.

4 The discussion of freedom's value in Richardson 2014 is open to similar critique. Richardson too distinguishes freedom's value from that of well-being by pointing to the importance of choice. Freedom, Richardson suggests, is morally significant because the ability to change one's life is significant: we need the ability to change our lives as our values change. This too is a compelling account of freedom's value, but not one that distinguishes that value from the value of the lives human beings actually lead. The capacity to change one's life is important precisely because lives in which this option is available are superior to ones in which it is absent (92).

mistake is not, however, inexplicable: Sen seems to have been misled by the dialectic he uses to frame his argument. As noted earlier, Sen's discussion of the relationship between the value of freedom and the value of well-being comes in the context of an effort to refute welfarism. Sen thinks that welfarism will fall if he establishes either of two claims: 1) that not all fundamental moral facts are facts about well-being; or 2) that well-being is not equivalent to utility. The relationship between these claims is disjunctive: establishing the truth of *either* claim is sufficient to entail the falsehood of welfarism. Establishing that both claims are true would also entail welfarism's falsehood, but proving the truth of the conjunction is more than Sen needs to make his point. As such, Sen defends each of these claims separately, never assuming the truth of one in his argument for the other. Thus, when Sen defends the claim that not all fundamental moral facts are facts about well-being, he does so from the perspective of the welfarist equation of well-being with utility. From this perspective, appealing to the fundamental value of autonomy is sufficient to establish that not all fundamental moral facts are facts about well-being. Autonomy may be a source of utility, but it need not be *part* of utility in the way that it is part of a flourishing human life. To say that an individual's autonomy has increased is to say that her life has improved, since being autonomous is part of what it is to live well. However, it is not to say that her pleasure, desire-satisfaction, or choice-fulfillment have increased, since this increase in her freedom may be both unpleasant and against her wishes (perhaps she finds making decisions burdensome). Sen's argument, then, is effective as a refutation of welfarism, and the account of freedom's value that he appeals to is entirely appropriate in that context. The problem comes, however, when Sen attempts to make use of this argument's conclusion outside of the *ad hominem* context that gave it meaning, claiming that the fundamental value of autonomy refutes the exclusivity of well-being's moral claim without noting that this applies only to well-being as it is incorrectly understood by welfarism. Losing sight of the dialectic, Sen takes himself to have proved more than he has, supposing that freedom's value is not reducible to that of well-being even on the broad understanding of well-being he himself defends. Thus, Sen's trouble is not that he has pursued arguments incapable of supporting his

conclusion, but rather that he retroactively misinterprets that conclusion, taking himself to have defeated the claim of a conception of well-being that was never actually in his sights.

II. An Alternate Account of Freedom's Value

Among Sen's many discussions of freedom's value is one that differs from the autonomy-based account considered above. In *Inequality Examined*, Sen calls attention to the significance of what he calls well-being freedom. Sen defines well-being freedom as an individual's freedom to have well-being: to say that an individual has well-being freedom is to say that a good life is available to her should she choose to live it.[5] Sen notes that "This 'well-being freedom' may have direct relevance in ethical and political analysis. For example, in forming a view of the goodness of the social state, importance may be attached to the freedoms that different people respectively enjoy to achieve well-being. Alternatively, without taking the route of incorporating well-being freedom in the 'goodness' of the social state, it may simply be taken to be 'right' that individuals should have substantial well-being freedom"(1992: 40). Sen does not offer an account of why well-being freedom might be thought to possess such moral weight. Nonetheless, Sen's remarks are suggestive, and seem to point to the possibility of an alternative freedom-based critique of the exclusivity of well-being's moral claim. Sen was not able to establish that the value of autonomy is sufficiently distinct from that of well-being to undermine this exclusivity. In what follows, I hope to establish that the value of well-being freedom is.

5 Sen does not indicate how reliably available a good life must be for someone to have well-being freedom. The concept will have little use if this availability is understood either too stringently or too loosely. On an excessively stringent interpretation, no finite creature could possess well-being freedom: we cannot shield ourselves from all misfortunes, so our leading a good life never fully depends on choice. On an excessively loose interpretation, well-being freedom might belong to anyone still alive: an individual faced with every obstacle to her well-being might nonetheless triumph over those obstacles through sufficiently miraculous luck. Sen must have something between these extremes in mind: an individual has well-being freedom only if there is a real chance that her choice to lead a good life will result in her doing so. A real chance will still be a chance rather than a certainty, but it will not be a long-shot gamble either.

II.I The Fundamental Moral Value of Well-Being Potential

Like Sen, I will begin by drawing a conceptual distinction. There is a difference between valuing someone's doing something and valuing her potential to do something. To say that a bird's flight is wonderful is different from saying that a bird's capacity for flight is wonderful. The two statements may support each other, but they are nonetheless distinct. To bring this out, note the intelligibility of the following thought: an unused capacity is worthless, however valuable its realization would have been. I might think that the world contains a little more good each time a bird flies, but not that it contains a little more good each time a flighted creature is born: a flighted creature might, after all, never fly. The reverse valuational situation is also intelligible: I might value someone's capacity to do something while thinking that her actually doing that thing would be morally neutral or even positively bad. As discussed earlier, valuing autonomy has something like this structure. It is good for an individual to have the capacity to lead various lives inferior to the best life available to her. This does not, however, imply that it would be good for her to actually lead one of those inferior lives. There is, then, a conceptual distinction between an individual's doing something being of value and her potential to do that thing being of value. As such, there is a difference between an individual's leading a good life being of value and an individual's potential to lead a good life being of value. The existence of this distinction means that there is conceptual space for an individual's potential for well-being to have fundamental moral significance distinct from that of her actually having well-being.

As was brought out in my discussion of Sen's argument, however, showing that there is conceptual space for such a valuational distinction is not the same as showing it exists. To establish the existence of such a distinction in this case would require both motivating the claim that facts about individuals' capacity to lead lives of value are fundamental moral facts, and making it clear that the moral status of these facts does not depend on their identity with facts about well-being. A way to accomplish these two tasks is suggested by the following observation: to know that we are capable of

leading a good life is a source of a profound sense of dignity.[6] This sense of dignity belongs to us simply in virtue of our capacity to lead a good life. We continue to feel it even if the life we actually lead is not good. In fact, we may feel our dignity most acutely while living badly: in such a situation we may be painfully aware of living in a way that is unworthy of the potential we bear. Why does an individual's belief that she can lead a truly good life fill her with this sense of dignity? Anyone who identifies facts about well-being as fundamental moral facts can offer the following answer:

Facts about well-being are fundamental moral facts, and fundamental moral facts are facts with a direct bearing on the overall value of states of affairs. From this perspective, to be able to lead a good life is to be able to do something quite wonderful, namely to be able to lead a life that makes the world better simply by its presence within it. Each individual who is able to bring such a life into the world is irreplaceable to it. She is the one port of entry by which something of global significance can come into being: namely, the particular good life that she alone can lead. There is something amazing about a nature that has these properties. In being the one port by which something of profound value can enter the world, it comes to itself bear profound value. It is because of this that taking herself to be capable of leading a good life provides an individual with a deep sense of dignity: for an individual to see herself in this way is to see herself as imbued with the special worth that comes with bearing a truly wonderful potential.[7]

This wonderful potential is, of course, not the only potential that human beings bear. If facts about well-being are fundamental moral facts, then an individual who lives well increases the world's value. By the same token, however, an individual who lives badly diminishes it. Does our potential to decrease the world's value undermine the dignity that comes with our potential to increase it? To answer this question, it will help to consider an analogous case. We tend to feel a certain respect for

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[6] The approach to bringing out the value of well-being potential that I employ here is inspired by John Stuart Mill's discussion of dignity in *Utilitarianism* (1969: 210-212). Mill's concern there is not the moral value of well-being potential, but the aesthetic value of aesthetic potential (see my Forthcoming). Nonetheless, his discussion suggests a general strategy for bringing out a potential's value.

[7] The sense of dignity described here seems close to what Richardson calls "fundamental self-respect", the particular sense of one's own value that comes from having a "sense that one's life is worth living"(2014: 80).

skilled craftspeople. This respect owes much to our appreciation of the value of the work they are able to produce: a skilled craftsperson can produce valuable work, and we admire them for bearing this wonderful capacity. However, although skilled craftspeople always bear this valuable potential, nothing guarantees that they will realize it with any consistency. A skilled potter retains the ability to make defective pots whenever she wishes: she knows what to do in order to make a pot well, and thus also knows just what to avoid doing in order to make one badly.[8] A skilled potter will likewise sometimes make defective pots simply by mistake: craft mastery is not craft perfection. She may even find herself in a situation where she cannot make any pots at all: however skilled she may be, a potter cannot work without clay. None of this diminishes our respect for the potter: we value her for her *capacity* to produce good work, and continue to do so despite knowing that she might produce bad work instead or even produce no work at all. I take this to generalize: what we value about those who bear wonderful potentials is their capacity to make a positive contribution, not their incapacity to make a negative one. If this is correct, then our capacity to live badly will not undercut the value of the natures we bear. As long as we are capable of living well, we will bear the dignity that belongs to something capable of making a special contribution to the world's value.

I take the above account to suggest that facts about individuals' potential to lead good lives are fundamental moral facts. It may, however, seem problematic that the above account appeals to well-being potential's connection to another value – namely, well-being – in order to bring out its worth. I supported my claim about the value of well-being potential by indicating that such potential amounts to an ability to contribute something irreplaceable and wonderful to the world. I suggested that something able to do this is itself irreplaceable and wonderful. This might look like an instrumental value claim: well-being potential is valued only insofar as it enables some other valuable thing to enter the world. To take the above account in this way would be, however, to see it as offering a different sort of support for my claim about the value of well-being potential than it is. The above account was not an attempt to

[8] This is the central claim of the *Hippias Minor*: experts are uniquely well-positioned to err intentionally.

derive the value of well-being potential. Such an attempt would be inappropriate to the discussion of fundamental moral value: such value is too basic to derive from something else in any straightforward sense. Rather, it was simply an attempt to *describe* well-being potential in a way that lets its worth shine through.[9] Thus, I appeal to well-being potential's status as the only means by which something wonderful might enter the world not because this instrumental relationship with well-being constitutes its value, but because seeing the place of well-being potential within this relationship brings out its independent worth. Something that can make a unique and valuable contribution to the world strikes us as unique and valuable in its own right. To bring out the non-instrumental nature of the valuation that this involves, recall that the sense of dignity attaches as strongly to the person living poorly as to the person living well. The individual who believes that she could live a truly significant life has a special sense of self-worth even if she does not actually live a life of such significance. I take it that this sense of self-worth would have been appropriately felt even by someone whose life never amounted to anything of note: the fact that her capacity was never expressed would in no way diminish its value. Instrumental valuation does not work in this way. A wrench is valuable only insofar as it actually allows someone do something valuable. If a particular wrench is used only to make bad things, or if it is melted down before being used at all, then it will have turned out to be worthless despite being a generally useful kind of thing.[10] My account does not allow an individual's well-being potential to ever be worthless in this way. Value inheres in it directly, even if pointing to the worth of what comes from it is necessary to bring that value out.

My claim that facts about well-being potential are fundamental moral facts, then, is not undermined by the above worry about instrumentality. Nonetheless, there is another worry one might have here: facts about well-being potential may be fundamental moral facts, but are they not also

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[9] I am more than willing to admit the limitation this places on my account: my argument will land only for those moved by the description I have offered. This limitation does not strike me as a defect, however. Any discussion of fundamental moral value will be limited in this way.

[10] This a point Plato makes frequently. See, e.g., his argument for the worthlessness of an unused or misused possession at *Euthydemus* 280c-281e.

always facts about well-being? On the account of well-being potential I have offered, an individual capable of leading a good life has a special sort of moral worth. This is why recognizing yourself as the bearer of such potential grants a sense of dignity: to see yourself in this way is to take yourself to matter in a way that you otherwise would not. A life that matters in this way is, we might think, superior to one that does not. Were this not the case, the sense of dignity would not be a positive emotion: we would have no reason to care that we mattered in this way if mattering in this way made no impact on the value of our lives. As such, facts about an individual's well-being potential will also be facts about her well-being. To know that an individual is capable of living well is already to know that she has one of the elements that constitutes doing so.

This all seems right to me. However, I do not think that it threatens the independence of well-being potential's value. It may be the case that every fact about well-being potential is also a fact about well-being. However, it is not *because* of this identity with facts about well-being that facts about well-being potential are fundamental moral facts. Rather, something closer to the reverse is true: it is only because facts about well-being potential are fundamental moral facts that they are identical to facts about well-being. As noted above, the sense of dignity is a *response* to the experience of oneself as bearing a kind of value. It is a positive emotion because we take it to matter to our lives that we possess this value. The structure of this emotion thus relates two kinds of value: one relevant to assessing the worth of states of affairs, and one relevant to assessing the worth of our own life. It suggests a recognition that one’s life is worth more to oneself precisely because it is also capable of being significant by some other value standard. The sense of dignity generated by recognizing our own well-being potential, consequently, cannot be understood unless well-being potential has value independent of its contribution to well-being. We take well-being potential to be part of a good human life precisely because we take it to be a source of moral value and we take possession of moral value to be important to life’s worth. The identity of facts about well-being potential and facts about well-being, then, not only does not undermine well-being potential's claim to independent moral status, it presupposes it.

This way of defending well-being potential's moral independence may seem to create a problem for my earlier critique of the argument from autonomy. Although facts about autonomy are also facts about well-being, perhaps it is nonetheless not *because* facts about autonomy are facts about well-being that they are fundamental moral facts. A life that affords opportunity for choice may be better than one in which choice is impossible, but that does not mean that choice's value is reducible to its role in improving human life. Choice might stand on its own as an independent bearer of moral significance, despite also improving any life in which it is contained.

I do not claim to have ruled this possibility out. My aim in the first section was more modest. I argued that a particular approach to bringing out autonomy's moral worth (Sen's) fails to present that worth as meaningfully separate from that of well-being. I did not argue that any attempt to demonstrate autonomy's independent moral significance was doomed to fail. There are many other such accounts, and a lengthy tradition of broadly Kantian thinkers have suggested that it is precisely the ability to deliberate and choose that provides human beings with moral dignity. I do not tend to find such accounts plausible, but I do not think there is a way to offer a general response to them. Each has to be met on its own terms and responded to individually. Undertaking such an effort is beyond the scope of this paper. My goal is to argue that the freedom-based critique of well-being's exclusive moral claim succeeds regardless of whether any of these autonomy-based arguments goes through, not to suggest that none of them can.

II.2 The Value of Well-Being Freedom as Expressive of the Value of Well-Being Potential

The above seems to vindicate Sen's claim that well-being is not the only fundamental moral value. At the start of section II, however, I indicated that Sen seemed right about more than this. I suggested that Sen was correct not just in his conclusion, but also in the basic path he chose to approach that conclusion: namely, an investigation of freedom's value. I will now attempt to make

good on this claim, arguing that the value of at least one type of freedom – well-being freedom – is expressive of the fundamental value of not well-being but well-being potential.

To bring this out, it will help to note an asymmetry between an individual's options for responding to the value of another's well-being, and her options for responding to the value of her well-being potential. An individual's well-being is constantly in the process of coming to be: at each moment of her life, something may occur which will affect its overall quality. Thus, a simple way of structuring our actions around the value of another's well-being is always open to us: we can *promote* her well-being, acting in a way that improves her quality of life. An individual's well-being potential, in contrast, is largely fixed: a creature either has the capacity to lead a life that adds value to the world, or she does not have that capacity.[11, 12] As such, promotion is not a viable way to respond to the value of an individual's well-being potential. Unlike an individual's well-being, her well-being potential already exists prior to our valuing it, and thus cannot be brought into being as an expression of that valuing.[13]

If promotion is off the table, how can we respond to the value of well-being potential? This question is best answered by thinking about how we respond to the value of potential more generally. If

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11 When I speak of having the potential or capacity to lead a good life, I intend the sort of capacity that Nussbaum refers to as a "basic capability" (2000: 84) and traditional Aristotelians call a first-potential. The claim that someone has the potential to lead a good life should be heard in the same sense that an infant might be said to have the potential to speak French. An infant cannot actually speak French at the moment of birth, but she may nonetheless possess a nature which provides all the materials necessary to eventually do so. An infant has the *potential* to speak French from the moment of birth: even then, she is the bearer of a nature which makes speaking French later in life a real possibility for her.

12 Extreme damage can of course diminish an individual's capacity to lead a good life: a person who experiences irreparable brain damage may lose access to various valuable capabilities, etc. More controversially, one might think that an individual's well-being potential could be enhanced beyond what she was born with: something like genetic therapy might give her the ability to engage in some valuable activity that was not in her original repertoire. I am not sure what to make of this case. If an individual is capable of undergoing such therapy, then is the ability she gains from it not already part of her basic capability set? Her nature, after all, was such as to allow the genetic therapy to be carried out. To take a seeming analog, an individual whose ability to speak depends on speech therapy seems to nonetheless have the basic capability to speak. It is unclear to me whether there is a real difference between this case and that of genetic therapy. Either way, such changes in an individual's well-being potential will be relatively uncommon.

13 An overemphasis of this point seems to underlie the somewhat common suspicion that something fishy must be going on whenever an action is condemned for denying someone's dignity. If one thinks that showing disrespect for the value of another's nature must involve diminishing that nature's value, then the considerations raised here will make it seem that showing such disrespect is impossible. Something like this is, I take it, the thought expressed by Justice Thomas in his *Obergefell v. Hodges* dissent. The Justice points out that "Human dignity has long been understood in this country to be innate", suggests that "The corollary of that principle is that human dignity cannot be taken away by the government", and concludes that there is thus no need to worry about the government acting in a way that denies the dignity of its citizens. A similar concern is expressed in a philosophical context by Kelly 2010: 71-72. I hope to bring out the inadequacy of taking the impossibility of diminishing another's dignity to suggest either the impossibility or the irrelevance of acting in a way that denies this dignity.

a promising but inexperienced athlete joins a sports team, what decisions would cause fans to praise a coach for appreciating this athlete's talent, and what decisions would cause them to accuse a coach of undervaluing her player? The coach will, I take it, be praised if she gives the athlete a chance to prove herself, and condemned if she leaves her on the bench in favor of more experienced players. For a quite different case, suppose you gave me a valuable seed as a gift, what sort of actions would suggest that I appreciate it, and what sort of actions would suggest that I hold it in contempt? I take it that appreciation of the seed's value would be conveyed by providing it with the conditions that it needs to grow: good soil, water, sunlight, etc. Lack of appreciation would be conveyed by a lack of concern about providing such conditions: by placing it in soil I know to be inhospitable, making insufficient water available, etc. The answers in these two cases are broadly similar: in each one, I express my valuation of something's potential by placing it in conditions favorable to the realization of that potential, and display my contempt for its potential by denying it access to those conditions. This suggests the following picture of how the value of a potential might impact the value of our actions: actions which place something in conditions necessary for the realization of its valuable potential are, in that respect, good actions; actions which place something in conditions incompatible with the realization of its valuable potential are, in that respect, bad actions. Thus, facts about the compatibility of an action with the realization of a valuable potential will be moral facts as far as the evaluation of actions is concerned.

In keeping with this, facts about an action's compatibility with the realization of an individual's well-being potential will be moral facts. To say that an individual is in circumstances compatible with the realization of her well-being potential, however, is the same as saying that she possesses well-being freedom. As discussed earlier, to say that an individual possesses well-being freedom is to say that circumstances are such that a good life is available to her should she choose to lead it: the world is fully compatible with her leading a life of worth, with the only question being whether she decides to do so. For a human being, no other circumstance can be more hospitable to the realization of well-being

potential than this. To try to *ensure* the realization of an individual's well-being potential by removing her choice from the equation – that is, by making it impossible for her to live a bad life should she choose to do so – would be to deprive her of the autonomy on which her life's value depends. Thus, it is a consequence of the value of an individual's well-being potential that facts about the compatibility of an action with her well-being freedom will be moral facts. We act wrongly, failing to properly respond to the value of the potential an individual bears, insofar as we act in a way that is incompatible with her well-being freedom.

I take it that this conclusion, drawn from general considerations about valuing potential, also falls out nicely from the particular account of the value of well-being potential offered earlier. For earlier it was said that part of what it is to value an individual's potential is to see her as capable of bringing something wonderful and irreplaceable into the world. In light of this capacity, the individual herself comes to be seen as wonderful and irreplaceable: she has something to contribute to the world which nothing else can, and there is something amazing about this. It seems to me that it is incompatible with seeing someone in this way to look upon it as a matter of indifference whether or not her potential unfolds: if it was a matter of no concern whether the thing that can enter the world through her alone ever came to be, then there would be nothing particularly special about her ability to bring it into the world. If the one thing that I alone can give to the world makes no impact on it, then I make no impact on it either.[14] As such, it seems that I cannot both value an individual's well-being potential and be indifferent to the compatibility of my actions with the possibility of this potential's realization. For an individual's well-being potential to be realized is for her to have well-being. Thus, my valuation of an individual's well-being potential will be expressed by a commitment to act only in a way that is compatible with her having a real chance to live a good life. As Sen's account of the value of freedom brought out, however, a human being cannot lead a truly good life if she lacks autonomy: a

14 I draw here on Halbertal 2015's suggestion that denying an individual's ability to contribute something of value is a way of denying her dignity.

human life must be freely chosen for it to be truly good. Thus, for a human being to have a real chance at a good life is for such a life to be available to her *should she choose to lead it*: it is for a good life to be available to her, but also for it not to be the *only* life available to her. It is, in other words, for her to have well-being freedom. Therefore, where the individual whose well-being potential I value is a human being, my valuation will find expression in a commitment to act only in a way that is compatible with her well-being freedom. As such, we once again reach the conclusion that facts about well-being freedom are moral facts, and that it is the independent value of well-being potential that explains this.

Sen's discussion of well-being freedom has pointed us in the right direction. In examining the value of well-being freedom, we were able to justify both Sen's claim that well-being is not the only fundamental moral value, and his thought that investigating the value of freedom would reveal this point. Well-being is of vital importance, but well-being potential has a moral weight all its own. The moral significance of well-being freedom follows from that of well-being potential, offering us a way of responding to a value that we cannot directly promote. The freedom-based critique of well-being's moral exclusivity thus succeeds even if Sen's particular version of it does not.

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